

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re Application of Holland Middle East)	No. 08 CV 1344
Trading Ltd.)	
to Obtain Discovery For Use in a)	Hon. Ruben Castillo
Suit Pending in the)	
Haarlem District Court of the)	Magistrate Judge Martin C. Ashman
Kingdom of the Netherlands.)	

**HOLLAND MIDDLE EAST TRADING LTD.'S RESPONSE TO
RESPONDENTS' MOTION FOR MORE TIME**

Applicant Holland Middle East Trading Ltd. ("HMET"), by its attorneys, responds to Respondents' Motion for Extension of Time, and requests that this Court order immediate compliance with its orders of March 17, April 3, and April 29, 2008. HMET's objective here has been solely to collect information present in this district. That task, however, has stretched out over more than two months, and become unnecessarily prolonged and expensive.

Respondents Should Produce Their Documents

1. Respondents have had notice of HMET's document requests for ten weeks, since March 6. Respondents have now failed to comply with three orders from this Court to produce documents responsive to HMET's subpoenas (Docket #9, #23 and #31).

2. HMET and Respondents agreed at their April 29 meeting that Respondents would produce the documents listed on Exhibit C by May 7. HMET would review the documents received and notify Respondents of what other requested documents HMET still required. Exhibit C was created to focus Respondents' efforts on evidentiary priorities in the Netherlands litigation; contrary to the Respondents' statement in its motion filed last night, Exhibit C never superceded HMET's subpoenas. (Exhibit C – titled "Documents Most Critical

to HMET's Case" was attached to HMET's Amended Objections to Discovery Requests and Request for the Court's Assistance, April 22, 2008, Docket # 27.) After consultation with HMET's Dutch counsel, HMET told Respondents on May 6 that it would need documents in addition to those on Exhibit C. If HMET waited until after it reviewed the documents to be received on May 7, Respondents would have had less time to gather its records.

4. And, if HMET had waited for Respondents to produce its documents responsive to Exhibit C, it would still be waiting. Respondents' production is uneven and incomplete at best. The attached Exhibit A sets forth the documents produced by Respondents that are responsive to each of HMET's subpoena requests. As to many of the categories, no documents at all have been received.

5. When Respondents requested an extension from HMET, they asked for five additional business days. Respondents' motion now asks for 10 additional business days. The motion does not explain what occurred between the morning and evening of May 14 that doubles the time required to comply with this Court's order, or why the necessary materials have not already been produced.

Conclusion

Respondents received these document requests ten weeks ago, yet their production of responsive documents remains significantly incomplete. HMET thus asks the Court to direct Respondents to comply forthwith with its orders of March 17, April 3, and April 29, 2008.

Dated: May 15, 2008

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Lindsay Wilson Gowin, an attorney, hereby certify that a copy of the attached **Holland Middle East Trading Ltd.'s Response to Respondents' Motion for More Time** was filed electronically with the Clerk of the Court using the CM/ECF system on this 15th day of May, 2008, which will automatically send email notifications of such filing to counsel below and those counsel enrolled in the system:

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